

BILL NO. Z-70-05- 26

ZONING MAP ORDINANCE NO. Z- 26

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. C-16.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. C-16 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The South 1/2 of the South 1/2 of the Northeast 1/4 and part of the North 1/2 of the Southeast 1/2 of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, being described as follows:

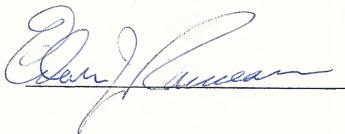
Commencing at a point on the South line of the North 1/2 of the Southeast 1/4 of Section 36, Township 30 North, Range 12 East, said point being situated 272.25 feet West of the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 36; thence North parallel to the East line of said section a distance of 538 feet; thence East parallel to the South line of the North 1/2 of the Southeast 1/4 of said section a distance of 272.25 feet to a point on the East line of said section; thence North along the East line of said section a distance of 130.2 feet; thence West parallel to the South line of the North 1/2 of the Southeast 1/4 of said section a distance of 272.25 feet; thence North parallel to the East line of said section a distance of 320 feet; thence East parallel to the South line of the North 1/2 of the Southeast 1/4 of said section a distance of 272.25 feet to a point on the East line of said section; thence North along the East line of said section a distance of 980.5 feet; to a point also being the Northeast corner of the South 1/2 of the South 1/2 of the Northeast 1/4 of said Section 36, thence

West a distance of 2,643 feet to a point on the North and South center line of said Section 36; thence South along the North and South center line of said section a distance of 1,970 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said section; thence East a distance of 2,364 feet to the place of beginning, containing 113.86 acres of land more or less;

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE:

Beginning on the east line of said Section 36, and the east line of said Wayne Township, at the intersection with the south corporation line of the City of Fort Wayne, said point of beginning being the northeast corner of the South 1/2 of the South 1/2 of the northeast 1/4 of said Section 36, also, being 180 feet more or less south of the centerline of Chinchilla Lane, and the northeast corner of land conveyed to Sam W. Fletcher, William Moser, and Floyd B. Kelsey, Jr.; thence southwardly with the east line of said Section 36 and Wayne Township for 540 feet more or less; thence westwardly at right angles to last-mentioned course for 935 feet more or less; thence northwardly parallel to the east line of said Section 36 and Wayne Township for 540 feet more or less to the south property line of land conveyed to Southtown Mall, Inc.; thence eastwardly with the south property line of said Southtown Mall, Inc. land for 935 feet more or less to the point of beginning, containing 11.6 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



APPROVED AS TO FORM  
AND LEGALITY.

  
Associate CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.

Date: 5-26-70

Freud G. Bonahoom  
City Clerk

Read the third time in full and on motion by Tipton seconded by Shake and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES	<u>0</u>	NAYS	<u>8</u>	ABSTAINED	_____	ABSENT	<u>1</u>	to-wit:
Adams	_____	<u>✓</u>	_____	_____	_____	_____	_____	
Dunifon	_____	<u>✓</u>	_____	_____	_____	_____	_____	
Fay	_____	_____	_____	_____	_____	_____	<u>✓</u>	
Geake	_____	<u>✓</u>	_____	_____	_____	_____	_____	
Nickols	_____	<u>✓</u>	_____	_____	_____	_____	_____	
<del>Robinson</del>	_____	<u>✓</u>	_____	_____	_____	_____	_____	
Rousseau	_____	<u>✓</u>	_____	_____	_____	_____	_____	
Steigerwald	_____	<u>✓</u>	_____	_____	_____	_____	_____	
Tipton	_____	<u>✓</u>	_____	_____	_____	_____	_____	

Date 12-28-71

Freud G. Bonahoom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. Z-

on the \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_.

ATTEST: (SEAL)

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

City Clerk

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-05-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

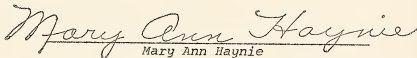
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this  
27th day of December 1971.

  
Mary Ann Haynie  
Secretary

Bill No. Z-70-05-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. C-16,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do not PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

DONALD J. SCHMIDT

*Herbert G. Tipton*  
*Jack K. Dunifon*  
*Thomas G. Adams*  
*Wm K. Geake*  
*D J Schmidt*

## RECEIPT

GENERAL FUND

N<sup>o</sup> 8

FT. WAYNE, IND.,

April 23 1970

RECEIVED FROM

Shoaff - Keegan Build &amp; Remo

THE SUM OF

Rt. Hon. Fletcher Wm. Ivester, Jr. P. Kelsey, Jr.  
Twenty-five and no/100

100

DOLLARS

ON ACCOUNT OF

Petition to Rezone  
Tract of Land

K. Ostman

AUTHORIZED SIGNATURE



STATE OF INDIANA )  
 ) SS: BEFORE THE COMMON COUNCIL OF THE  
COUNTY OF ALLEN ) CITY OF FORT WAYNE, ALLEN COUNTY,  
INDIANA

TO: The Common Council of the City of Fort Wayne, Allen County, Indiana:

We, the undersigned, being the owners of the following  
described property located in Allen County, State of Indiana, to wit:

The South 1/2 of the South 1/2 of the Northeast  
1/4 and part of the North 1/2 of the Southeast  
1/2 of Section 36, Township 30 North, Range 12  
East, Allen County, Indiana, being described  
as follows:

Commencing at a point on the South line of the  
North 1/2 of the Southeast 1/4 of Section 36,  
Township 30 North, Range 12 East, said point  
being situated 272.25 feet West of the Southeast  
corner of the North 1/2 of the Southeast 1/4  
of said section 36; thence North parallel to the  
East line of said section a distance of 538 feet;  
thence East parallel to the South line of the North  
1/2 of the Southeast 1/4 of said section a distance  
of 272.25 feet to a point on the East line of said  
section; thence North along the East line of said  
section a distance of 130.2 feet; thence West  
parallel to the South line of the North 1/2 of the  
Southeast 1/4 of said section a distance of 272.25 feet;  
thence North parallel to the East line of said section  
a distance of 320 feet; thence East parallel to the  
South line of the North 1/2 of the Southeast 1/4 of  
said section a distance of 272.25 feet to a point on  
the East line of said section; thence North along the  
East line of said section a distance of 980.5 feet;  
to a point also being the Northeast corner of the  
South 1/2 of the South 1/2 of the Northeast 1/4 of said  
Section 36, thence West a distance of 2,643 feet to a point on  
the North and South center line of said section 36;  
thence South along the North and South center line of  
said section a distance of 1,970 feet to the Southwest  
corner of the North 1/2 of the Southeast 1/4 of said  
section; thence East a distance of 2,364 feet to the place  
of beginning, containing 113.86 acres of land more or  
less;

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE:

Beginning on the east line of said Section 36,  
and the east line of said Wayne Township, at the  
intersection with the south corporation line of




the City of Ft. Wayne, said point of beginning being the northeast corner of the South One-half (1/2) of the South One-Half (1/2) of the northeast One-fourth (1/4) said Section Thirty Six (36), also, being one hundred eighty (180) feet more or less south of the centerline of Chinchilla Lane, and the northeast corner of land conveyed to Sam W. Fletcher, William Moser, and Floyd B. Kelsey, Jr.; thence southwardly with the east line of said Section 36 and Wayne Township for five hundred forty (540) feet more or less; thence westwardly at right angles to last-mentioned course for nine hundred thirty-five (935) feet more or less; thence northwardly parallel to the east line of said Section 36 and Wayne Township for five hundred forty (540) feet more or less to the south property line of land conveyed to Southtown Mall, Inc.; thence eastwardly with the south property line of said Southtown Mall Inc. land for nine hundred thirty-five (935) feet more or less to the point of beginning containing eleven and 6/10 (11.6) acres, more or less.

which is now situated in an R-A District, respectfully petition the Common Council of the City of Fort Wayne, Allen County, Indiana, to change the zoning of said tract from an R-A District to an R-3 District.

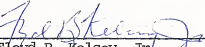
Your Petitioners would further show the Council that the change of zone would be consistent with the character of the surrounding neighborhood and would be for the best interest and the general welfare of the immediate community.

WHEREFORE, your Petitioners respectfully request this Council to change the zoning of said tract to an R-3 District.

Respectfully submitted,

  
\_\_\_\_\_  
Sam W. Fletcher

  
\_\_\_\_\_  
William Moser

  
\_\_\_\_\_  
Floyd B. Kelsey, Jr.